

MEMORANDUM ENDORSED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
United States of America, and States of the
United States, *ex rel.* Patrick Donohue,

Plaintiffs,

-against-

RICHARD CARRANZA, in his official capacity
as the former Chancellor of New York City
Department of Education, *et al.*

Defendants.
-----X

Case No. 20-cv-05396 (GHW)(SDA)

NOTICE AND STIPULATION OF VOLUNTARY PARTIAL DISMISSAL

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 11/14/2022

IT IS HEREBY STIPULATED AND AGREED by and between the respective undersigned counsel, and attorneys of record for, Plaintiff-Relator, PATRICK DONOHUE, and Defendants NEW YORK CITY DEPARTMENT OF EDUCATION and its former Chancellors in their official capacities, RICHARD CARRANZA and MEISHA PORTER (collectively, "NYC DOE") (Plaintiff-Relator and NYC DOE collectively the "Parties"), that Plaintiff-Relator hereby voluntarily dismisses WITH PREJUDICE the claims brought under New York State and City law in the above-captioned action (*i.e.*, the fifth through the tenth causes of action in the Second Amended Complaint [ECF No. 19]) against NYC DOE pursuant to Federal Rules of Civil Procedure 41(a)(1)(A).


The Parties agree and acknowledge that, pursuant to this Court's Order of March 3, 2021 [ECF No. 5], voluntary dismissal of the New York State and City law claims brought by Plaintiff-Relator against NYC DOE is subject to approval by this Court and, to the extent required under New York State and City law, the New York State Attorney General. Pursuant to this Court's Order of September 19, 2022 [ECF No. 191], Plaintiff-Relator sought and received such approval from the New York State Office of the Attorney General.

Accordingly, the Parties hereby respectfully request that this Court approve the dismissal of the claims brought under New York State and City law by Plaintiff-Relator against NYC DOE in the above-captioned action, as set forth in fifth through tenth causes of action of the Second Amended Complaint [ECF No. 19], WITH PREJUDICE as to the Relator, and WITHOUT PREJUDICE as to the State of New York.

Date: October __, 2022
New York, New York

Brain Injury Rights Group, Ltd.

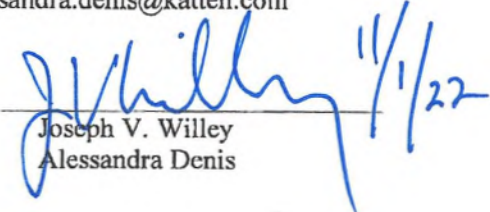
300 E. 95th Street, Suite 130
New York, New York 10128
Tel: 646-850-5035
Fax: 212-504-9532
Rory@pabilaw.org
Ashleigh@pabilaw.org

By: 
Ashleigh C. Rousseau [5801923]
Rory J. Bellantoni [RB 2901]

Attorneys for Relator

Katten Muchin Rosenman, LLP

50 Rockefeller Plaza
New York, New York 10020
Tel: 212-940-8800
joseph.willey@katten.com
alessandra.denis@katten.com

By: 
Joseph V. Willey
Alessandra Denis

**Hon. Sylvia O. Hinds-Radix
Corporation Counsel of the
City of New York**

100 Church Street
New York, New York 10007
Tel: (212) 356-2087
SKitzing@law.nyc.gov

By: 
Stephen Kitzinger
Assistant Corporation Counsel

*Attorneys for Defendants
New York City Department of Education,
and Richard Carranza and Meisha Porter,
in their official capacities as former
Chancellors of the New York City
Department of Education*

SO ORDERED

Dated:

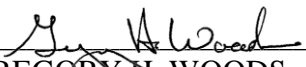
HONORABLE GREGORY H. WOODS
UNITED STATES DISTRICT JUDGE

On November 7, 2022, the parties notified the Court of a typographical error in the Order issued at Dkt. No. 218 (the "Order"). The Court grants the parties' request to modify the Order as follows:

Plaintiff-Relator, Patrick Donohue, and Defendants NYC Department of Education, Richard Carranza, and Meisha Porter have stipulated to the dismissal, with prejudice as to Plaintiff-Relator and without prejudice as to the State of New York, of the NYS and City claims against NYC Department of Education.

SO ORDERED.

Dated: November 14, 2022
New York, New York


GREGORY H. WOODS
United States District Judge